



REGISTRAR OF REGULATIONS
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COMMONWEALTH of VIRGINIA

Department of Health
DIVISION OF SHELLFISH SANITATION
109 Governor Street, Room 614-B
Richmond, VA 23219

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NOTICE AND DESCRIPTION OF SHELLFISH AREA CONDEMNATION NUMBER 049-004, UPPER YORK RIVER

EFFECTIVE 25 AUGUST 2005

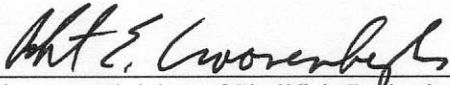
Pursuant to Title 28.2, Chapter 8, §§28.2-803 through 28.2-808, §32.1-20, and §9-6.14:4.1, B.16 of the *Code of Virginia*.


1. The "Notice and Description of Shellfish Area Condemnation Number 049-004, Upper York River," effective 5 November 2004, is cancelled effective 25 August 2005.
2. Condemned Shellfish Area Number 049-004, shown as Sections A, B, C, D, and E, is established, effective 25 August 2005. As to Sections A and B, it shall be unlawful for any person, firm, or corporation to take shellfish from these areas for any purpose, except by permit granted by the Marine Resources Commission, as provided in Section 28.2-810 of the *Code of Virginia*. As to Sections C, D and E it shall be unlawful for any person, firm or corporation to take shellfish from these areas, for any purpose. The boundaries of these areas are shown on the map titled "Upper York River, Condemned Shellfish Area Number 049-004, 25 August 2005" which is part of this notice.
3. The Department of Health will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision of this order.

BOUNDARIES OF CONDEMNED AREA NUMBER 049-004

- A. The condemned area shall include all of the York River and its tributaries lying upstream of a line drawn from latitude/longitude map coordinate (37°27'54.6", -76°45'34.4") to map coordinate (37°28'18.4", -76°43'42.3"), but excluding the areas defined as Sections B, C, D and E.
- B. The condemned area shall include that portion of the Mattaponi River lying upstream of a line drawn from latitude/longitude map coordinate (37°32'19.0", -76°47'27.5") to map coordinate (37°32'13.1", -76°47'10.2"), but excluding the area defined as Section E.
- C. The condemned area shall include that portion of the Mattaponi River lying upstream of a line drawn from latitude/longitude map coordinate (37°31'52.4", -76°47'34.9") to map coordinate (37°31'52.3", -76°46'59.8"), but excluding the areas defined as Sections B and E.

- D. The condemned area shall include that portion of the Pamunkey River lying upstream of a line drawn from latitude/longitude map coordinate (37°32'34.7", -76°49'38.8") to map coordinate (37°32'55.2", -76°49'52.4").
- E. The condemned area shall include that portion of the Mattaponi River lying upstream of a line drawn from latitude/longitude map coordinate (37°33'15.4", -76°46'51.4") to map coordinate (37°33'05.8", -76°46'24.6").

Recommended by: 
Director, Division of Shellfish Sanitation

Ordered by:  08/11/2005
State Health Commissioner Date

**Virginia Department of Health
Upper York River
Condemned Shellfish Area 049-004
25 August 2005**

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